

REMARKS

Applicant clarifies that claims 1-47 are pending in the subject application prior to entry of this Amendment. Of these pending claims, claims 16-35 are withdrawn as a result of a prior restriction requirement. It is respectfully pointed out that the Office Action Summary lists only claims 1-15 and 36-47 as pending.

Claims 1-14, 36-37 and 45-47 are allowed in the outstanding Office Action. Claims 38-43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for this indication of allowable subject matter.

Regarding remaining claims 15 and 44, these claims are rejected under 35 USC Section 102(e) as being anticipated by Champagne et al. (US 7,143,169).

Applicant respectfully traverses the above rejection. However, claims 15 and 44 are canceled without prejudice in the interest of advancing the prosecution of the subject application.

Withdrawn claims 16-35 also are cancelled without prejudice.

Claim 38 is amended to recite the features of claim 15 and thus is now in condition for allowance, as recognized by the Examiner at page 3 of the Action. Claims 39-43, which depend either directly or indirectly from claim 38 are thus also allowable. Accordingly, all pending claims are now allowable.

For completion, the Examiner is respectfully requested to provide Applicant with initialed 1449 forms for the IDS and Supplemental IDS filed by Applicant. The Examiner also is kindly requested to acknowledge Applicant's claim of foreign priority (EP Patent Application No. 02257792.8 filed on November 11, 2002) and acknowledge receipt of the certified copy of the priority document, which was submitted to the USPTO concurrently with the filing of the subject application on October 29, 2003.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance. No new issues requiring a further search are raised by this Amendment. Thus, the Examiner is respectfully requested to enter and consider this Amendment, and withdraw the outstanding rejection and objections. A Notice of Allowance is earnestly solicited.

Respectfully submitted,

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1/19/09
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Jan. 19, 2009
Date

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